

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

VARTA MICROBATTERY GMBH

v.

SAMSUNG ELECTRONICS AMERICA,  
INC.

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Case No. 2:20-CV-0029-JRG-RSP

**JOINT MOTION FOR EXTENSION OF TIME TO FILE  
DOCKET CONTROL ORDER AND DISCOVERY ORDER**

Plaintiff VARTA Microbattery GmbH and Defendant Samsung Electronics America, Inc. (“Parties”) jointly and respectfully request the Court extend the time within which the Parties are required to submit a proposed Docket Control Order and Discovery Order and show the Court as follows:

Pursuant to this Court’s Order dated April 17, 2020 (Dkt. 10), the deadline to file a proposed Docket Control Order and Discovery Order is June 1, 2020. The Parties are requesting an extension of seven (7) days, up to and though June 8, 2020, to file the proposed Docket Control Order and Discovery Order. Good cause for this extension exists as the Parties are working together to finalize a motion to consolidate this case with *VARTA Microbattery GmbH v. Costco Wholesale Corporation*, No. 2:20-cv-00051-JRG. The additional time would allow for a ruling from the Court on consolidation and a subsequent submission of a single, more tailored set of proposed orders for the consolidated matter in the event the Court grants the motion to consolidate.<sup>1</sup>

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<sup>1</sup> Contemporaneously with the filing of this motion, the parties in the Costco matter are filing a similar motion seeking a seven (7) day extension of their current deadline of June 1, 2020 to file a proposed Docket Control Order and Discovery Order.

Dated: May 29, 2020

Respectfully Submitted,

/s/ Melissa R. Smith

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on May 29, 2020 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Melissa R. Smith  
Melissa R. Smith